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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/687,736	10/20/2003	Miwako Doi	04329.3164	9256
22852 7590 09/20/2007 FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER LLP 901 NEW YORK AVENUE, NW WASHINGTON, DC 20001-4413			EXAMINER PYO, MONICA M	
			ART UNIT 2161	PAPER NUMBER
			MAIL DATE 09/20/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/687,736

Applicant(s)

DOI, MIWAKO

Examiner

Monica M. Pyo

Art Unit

2161

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 29 June 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 2, 8-9, 11 and 16-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 2, 8-9, 11 and 16-17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 8/7/07.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_.

### **DETAILED ACTION**

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 6/29/2007 has been entered.
2. Claims 2, 8-9, 11 and 16-17 are currently pending in this application. Claims 2 and 11 are independent claims. In the Amendment filed 6/29/2007, claims 2, 8-9, 11 and 16 are amended. Claims 2, 8-9, 11 and 16-17 are rejected.

### ***Information Disclosure Statement***

3. The information disclosure statement filed 8/7/2007 (for JP 2002-73995, JP 2001-167201 & JP 6-83847) fails to comply with 37 CFR 1.98(a)(3) because it does not include a concise explanation of the relevance, as it is presently understood by the individual designated in 37 CFR 1.56(c) most knowledgeable about the content of the information, of each patent listed that is not in the English language. It has been placed in the application file, but the information referred to therein has not been considered.

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 2, 8-9, 11 and 16-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,275,824 issued to O'Flaherty et al. (hereinafter O'Flaherty) in view of U.S. Patent No. 5,930,391 issued to Kinjo et al. (hereinafter Kinjo), and further in view of U.S. Patent No. 7,181,438 issued to Szabo (hereinafter Szabo).

Regarding Claims 2 and 11, O'Flaherty disclose an information sharing apparatus, which communicates with at least one terminal corresponding to one of users, comprising:

**A). an acquiring unit configured to acquire an information item including , as a suite of a plurality of dataviews for a privacy rule (O'Flaherty: col. 4, lns. 18-29);**

**B). an extracting unit configured from the information item, as a personal information item, as an access for the personal information (O'Flaherty: col. 4, lns. 30-36 & 53-56);**

**C). a generating unit configured to generate an anonymous information item by separating the detected personal information item from the information item, to obtain (a) the anonymous information item which is the information item including the information item except the image of the person's face and (b) the personal information item corresponding to the image of the person's face; as to implementing privacy rules and deleting customer information (O'Flaherty: col. 4, lns. 37-60; col. 8, lns. 46-61);**

**E). a first storing unit configured to store the personal information item, the anonymous information item, and one of a plurality of levels which corresponds to the personal information item, the levels including (a) a first access level which is assigned to a first group of users of the users who can access only the anonymous information item out of**

**the anonymous information item and the personal information item and (b) a second access level which is assigned to a second group of users of the users who can access both of the anonymous information item and the personal information item; as different information being accessible to different group of people depends on dataview suite (O'Flaherty: col. 4, lns. 37-60);**

**F). a receiving unit configured to receive a request message for accessing the second information item, the request message being transmitted from the terminal, as the communication media with the dataviews and a client (O'Flaherty: col. 4, lns. 61-67);**

**G). a first transmitting unit configured to transmit only the anonymous information item out of the anonymous information item and the personal information item to the terminal in response to the request message, when an access level predetermined to the one of the user is equal to the first access level, as the user desires an anonymous transaction routed to the privacy service (O'Flaherty: col. 5, lns. 31-43);**

**H). a synthesizing unit configured to synthesize the personal information item with the anonymous information item, to obtain a regenerated information item, including as to implementing privacy rules to make the personal data anonymous (O'Flaherty: col. 4, lns. 49-60); and**

**I). a second transmitting unit configured to transmit the regenerated information item in response to the request message, when the access level of the one of the users is equal to the second access level, as the kiosk/pos device to accept consumer input regarding privacy preferences and storing information (O'Flaherty: col. 5, lns. 1-16).**

O'Flaherty does not explicitly disclose:

**A)/H). an image of a person;**

**B). to extract a contour of a person's face, to detect an image of the person's face;**

**D). an encryption unit configured to encrypt the personal information item;**

**E). encrypted personal information**

However, Kinjo discloses:

**A)/H). image of a person,** as the person's face image (Kinjo: col. 18, lns. 53-58)

**B). to extract a contour of a person's face, to detect an image of the person's face,** as the contour of a person and the person's face image (Kinjo: col. 13, lns. 62-67; col. 17, lns. 53-58).

It would have been obvious to a person with ordinary skill in the art at the time of invention to modify the teachings of O'Flaherty with the teachings of Kinjo to utilize the contour of person's image in the data privacy management system with the motivation to enhance obtaining accurate information with correct contour line regions (Kinjo: col. 1, lns. 11-20).

O'Flaherty and Kinjo do not explicitly disclose:

**D). an encryption unit configured to encrypt the personal information item;**

**E). encrypted personal information.**

However, Szabo discloses:

**D). an encryption unit configured to encrypt the personal information item,** as a SSL encryption of the personal information (Szabo: col. 37, lns. 45-55; col. 57, lns. 38-51).

**E). encrypted personal information,** as a SSL encryption of the personal information (Szabo: col. 37, lns. 45-55; col. 57, lns. 38-51).

In addition to O'Flaherty, Szabo also discloses:

**E). including (a) a first access level which is assigned to a first group of users of the users who can access only the anonymous information item out of the anonymous information item and the personal information item and (b) a second access level which is assigned to a second group of users of the users who can access both of the anonymous information item and the personal information item, as the user's personal profile being segmented into multiple portions while preventing the server to obtain too much private information (Szabo: col. 41, lns. 1-27).**

It would have been obvious to a person with ordinary skill in the art at the time of invention to modify the teachings of O'Flaherty with Kinjo with the teachings of Szabo to utilize the data encryption in the data privacy management system with the motivation to enhance protecting personal information (Szabo: Abstract; col. 49, lns. 4-14).

Regarding Claims 8 and 16, O'Flaherty and Kinjo and Szabo disclose the apparatus further comprising a second storing unit configured to store a pair of Ids, one of the pair corresponding to the personal information item and the other of the pair corresponding to the anonymous information item (O'Flaherty: col. 8, lns. 46-61; col. 9, lns. 6-24; figs. 2A & 2B);

wherein the synthesizing unit includes (O'Flaherty: col. 4, lns. 49-60):

a second acquiring unit configured to acquire the one of the pair, based on the other of the pair (O'Flaherty: col. 9, lns. 15-24; fig. 2A); and

a third acquiring unit configured to acquire the personal information item which corresponds to the one of the pair and is to be synthesized with the anonymous information, from the first storing unit (O'Flaherty: col. 4, lns. 49-60; col. 8, lns. 46-61; col. 14, lns. 31-42).

Regarding Claims 9 and 17, O'Flaherty and Kinjo and Szabo disclose the apparatus wherein the generating unit generates the anonymous information item by overwriting into an area corresponding to the personal information item with arbitrary symbols (O'Flaherty: col. 4, lns. 37-60).

#### ***Response to Arguments***

6. Applicant's arguments with respect to claims 2, 8-9, 11 and 16-17 have been considered but are moot in view of the new ground(s) of rejection.

#### ***Conclusion***

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Monica M. Pyo whose telephone number is 571-272-8192. The examiner can normally be reached on Mon & Thur 8:00 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Apu Mofiz can be reached on 571-272-4080. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

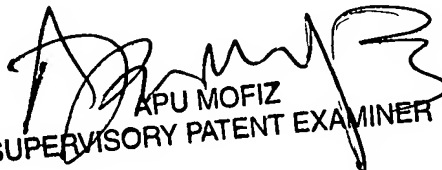


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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Monica M Pyo  
Examiner  
Art Unit 2161

mpyo  
9/15/2007

  
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